IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

YAHYA SALEEM BEY,

             Plaintiff,

    v.

CITI HEALTH CARD,

             Defendant.

CIVIL ACTION
NO. 15-6533

ORDER

AND NOW, this 6th day of July 2017, upon consideration of Defendant's Motion to Compel Arbitration and Stay Proceedings (Doc. No. 11), Plaintiff's Response in Opposition to Defendant's Motion (Doc. No. 12), Defendant's Reply (Doc. No. 13), Plaintiff's Sur-reply (Doc. No. 14), Plaintiff's Motion for Summary Judgment (Doc. No. 15), and Defendant's Response in Opposition to Plaintiff's Motion for Summary Judgment (Doc. No. 17), it is **ORDERED** as follows:

1. Defendant's Motion to Compel Arbitration and Stay Proceedings (Doc. No. 11) is

   GRANTED.

2. In accordance with the Card Agreement between the parties, Plaintiff is required to

   arbitrate any dispute arising out of the agreement pursuant to the rules and procedures

   established by either the American Arbitration Association or JAMS.[1] Plaintiff is

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[1] The Card Agreement reads, in pertinent part:

> **How does a party initiate arbitration?** The party filing an arbitration must choose one of the following two arbitration firms and follow its rules and procedures for initiating and pursuing an arbitration: American Arbitration Association or JAMS. Any arbitration hearing that you attend will be held at a place chosen by the arbitration firm in the same city as the U.S. District Court closest to your then current billing address, . . .

given thirty (30) days from the date of this Order in which to file for arbitration. If

Plaintiff does not initiate arbitration within that time, the Court will dismiss this case.

3. The Clerk of Court shall place this case in **SUSPENSE** pending the outcome of the

arbitration.

4. The parties shall inform the Court by letter of the status of the arbitration proceeding

within ninety (90) days of the date of this Order, and every ninety days thereafter.

5. Plaintiff's Motion for Summary Judgment (Doc. No. 15) is **DENIED**.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.

(Doc. No. 11-3 at 10-11.)